Previous references.
Jgan II 881-2 9.769-10
Bgan II 883-5 9.769-10 . 1911.
(G.7)

Later references.

File No. 630-11

Serial Nos. 1 to 2

GENERAL AND REVENUE SECRETARIAT.

P. 13
(12)

Serial Nos. 1 to 2

Part B. for August 1912

SUBJECT.

Mr. Vardhamanaiya's application for delivery of Govt pro notes on the authority of Succession certificate.

From the Comptroller. Mysore Govt.
No. 7384 / B&R 933 Dy 1.6.12.

States that Mr. Vardhamanaiya with a certificate Covering Govt pro notes for Rs 108,700 has claimed both the Govt pro notes & amounts accruing thereunder (Rs 1,28,809-8-0) on the same authority and that when with the advice of Govt advocate the applicant was called upon to produce a fresh certificate in support of interest & discount thereunder, he represents difficulties, and states with reasons that he cannot produce the certificate & that the stamp value of the Court certificate may be deducted from the said Sums due to him; & Solicits orders of Govt in the matter.

G. R. S. 58

2. To the Comptroller [illegible]

states that the additional amount now claimed cannot be regarded as part of the deceased M. Lakshmipathiah's assets. That the claimant Mr. Vardhamaniah seems to be entitled to it in his own right and that the amount should be ordered to be paid without demanding a fresh certificate of Succession.

G.R.S. 11] 1911-12

GENERAL AND REVENUE SECRETARIAT.

(G.F.)

NOTES.

File No. 630-11

FILE HEADING.

M. Vardamanaiya's application for delivery of Govt promise on the authority of Succession Certificate

From

The Comptroller, Mysore Government

No. 7384 / BFR 933 Dated 18th June 12 Received 21st June 1912

Diary No. 4508	Enclos. 1 file Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

States that M. Vardamanaiya with a certificate covering Govt promise for Rs 1,08,700 has claimed both the Govt promise & amount accruing thereunder (Rs 1,28,809-8-0) on the same authority & that when the with the advice of Govt advocate the applicant was called upon to produce a fresh certificate in support of interest & discount thereunder, he represents difficulties and states with reasons why he cannot produce a fresh certificate and requests that when with the Govt Advocate's advice again production of the certificate was insisted, the stamp value of the Court Certificate may be deducted from the said sums due to him & solicits orders of Government in the matter.

NOTES AND ORDERS.

NOTES—First Sheet.

GPB—30,000—12-8-11

General and Revenue Secretariat.

97. File No. 630 of 1911

Serial No.	
	If the applicant had included the entire amount also in his original appl: there would not have been this difficulty —
	any procedure authorising the Comptroller to deduct the value the Stamp that the applicant would otherwise have to pay if he went again to the Court for a Certificate. The object of insisting on a Certificate is not merely a fiscal one — it is also intended to protect the debtor and give him a valid discharge
	To Bott
	24/6/12
	Lib?
45.	5 Draft up Order to Comp.r Saying that a certificate for the balance of the amount due on the day stated in the Application is necessary and Court cannot take the Value of the Stamp fee in its stead, as the Certificate is not merely a fiscal purpose. 26/6/12
	Draft put up — 1.7.12
	28/6/12
	b If the claim is only for sums accrued

NOTE—Contn. sheet.

GBB—20,000—20-1-12

General and Revenue Secretariat. | File No. 636 of 1911

Serial No.

respect of the pro-Note of Govt loan, it seems to me that there is much force in Dept's contention. The Asstt Secy (Judl) will please discuss personally with me.

4/7/12

Additional

7 The amount claimed was not part of the deceased's assets. The claimant is entitled to it all in his own right. It should be ordered to be paid up without demanding a fresh certificate of succession.

Dewan

Papers - Mease

Spic order accordingly. Ltr a report that the claim maybe settled and closed

19/7/12

19/7/12

2/874

26-7-12

NOTE—Contn. sheet.

GPB—20,000—20-1-12

. R. S. 12]

General and Revenue Secretariat. | G. F. File No. 630- of 1911-12

Serial No.

Closed quickly. [There has already been much delay.]

Sd 19 Nov 12

9

Draft subd for approval

11-26 Nov

19/8 10 Sd

(File dealt with by me as personally ordered by the Dewan)

Sd

19/8/12

2 To the Comptr: No. 3L. 863 D. 19-8-12 states that the additional amount now claimed cannot be regarded as part of the deceased M. Lakshmipathiah's assets, that the claimant Mr Vardhamaniah seems to be entitled to it in his own right and that the amount should be ordered to be paid without demanding a fresh certificate of succession

ab + B

NOTE—Contn. sheet.

GPE—65,000—17-6-12.

It is requested that in future communications on the subject, the No. and date of this letter, and the distinguishing letters below the number as given opposite, may be quoted and addressed to the Comptroller, Mysore Government.

No. 7384 & file 3&R933

OFFICE OF THE COMPTROLLER, MYSORE GOVERNMENT,

Dated Bangalore, the 1st June 1912.

DIARY No. 4508

FROM

J. S. CHAKRAVARTI, ESQ., M.A.,
F.R.A.S., etc.,
Comptroller to the Government of
His Highness the Maharaja of Mysore.

10-11-1912
SECTION S.F.
FILE No. 630-11
SERIAL No. 1

To

K.R. Srinivasa Iyengar, ESQ., M.A.,

Secretary to the Government of Mysore,

General and Revenue *Department.*

SIR,

Adverting to Government Order No. Fl.5964-5/G.F.69-10 dated 8th June 1911, rejecting the petition of M.L. Vardhamaniah to dispense with the necessity of producing a Sucession Certificate for pro-notes of the Mysore 4 per cent loan being issued to him, I have the honour to report that Mr. M.L. Vardhamaniah -- produced a succession certificate on the 9th September 1911 -- ~~entilling~~ entitling him to receive Government Pro-notes of the value of Rs.1,08,700/- and on the authority of this certificate claimed these pro-notes as well as the interest accrued due thereon and the ½ per cent discount viz.543-8-0 payable on the amount tendered on his behalf.

2. The amounts due to the applicant on the date of application were as follow:-

(1)	Government Pro-notes of the nominal value of	Rs.1,08,700/-
(2)	Arrears of interest due on these notes up to date of application (i.e. from 1st October 1906 to 31st March 1911)	,, 19,566-0-0
(3)	½ per cent discount	,, 543-8-0
	Total	Rs.1,28,809-8-0.

The

the debt was in the form in which it was created by the deceased or converted into another form for the benefit of the estate, and that by the amended certificate now produced (wherein ~~as~~ the debt was described as a Savings Bank deposit instead of Government pro-notes as in the original certificate) M.L. Vardhamaniah has the right to claim ~~duly~~ only Rs.1,08,700/- and therefore he is entitled only to pro-notes of equivalent value. He further said that until the production of the certificate the debt -- would continue to be in the hands of Government as a debt due to the estate of the deceased and interest thereon accrues to the benefit of the estate.

5. The party was accordingly intimated that the certificate for arrears of interest and discount could not be dispensed with for the reasons stated above and that, if necessary, the pro-notes would be issued to him but that interest and discount would be withheld until the production of the certificate.

6. The party, now writes to say in reply to the above communication that the Stamp value of the Court certificate may, at present, be deducted from the arrears of interest and discount, and that the balance be paid to him . It appears to me that this cannot be done as it virtually amounts to commuting a certificate of a Court of Law into money value.

I beg therefore to submit the matter for the orders of Government and for needful instructions as to the course that has to be adopted by me in the above circumstances.

The file of papers relating to the case is forwarded herewith in original for perusal and obliging return when done with.

I have the honour to be,
Sir,
Your most obedient servant,

T.G.S.

For Comptroller.

Fair draft.

G.R.S. 31] No. FC 863

47630-11

From

J. S. CHAKRAVARTI, Esq., M.A., F.R.A.S.,
Financial Secretary to the Government of
His Highness the Maharaja of Mysore.

To The Comptroller, Mysore Government.

Bangalore, the 19 August 1912.

Sir,

Adverting to your letter No.7384/B & R 933 dated the 1st June 1912, soliciting instructions of Government in regard to the payment of the arrears of interest and discount amounting to Rs. 20,109-8-0 to Mr.Vardhamanaiya on the strength of the succession certificate produced by him to " collect debts to the extent of Rs.108,700/- only ", I am directed to state that the additional amount now claimed cannot be regarded as part of the deceased Mothikhane Lakshmipatiah's assets and that the claimant Mr.Vardhamaniah seems to be entitled to it in his own right. The amount should therefore be ordered to be paid without demanding a fresh certificate of succession.

I am to request that the claim may be settled and closed quickly.

The enclosures received with the letter under reference are returned herewith.

I have the honor to be,
Sir,
Your most obedient servant,

Sd/ S. Harigamaya

Financial Secretary.